

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

MICHAEL JACKSON

CIVIL ACTION NO. 6:20-cv-00050

VERSUS

JUDGE SUMMERHAYS

U.S. COMMISSIONER,
SOCIAL SECURITY
ADMINISTRATION

MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that the Commissioner's decision is AFFIRMED IN PART, REVERSED IN PART, and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ More particularly, the Commissioner's decision is AFFIRMED to the extent that it finds Mr. Jackson disabled on and after October 8, 2018, REVERSED to the extent it finds

¹ A fourth sentence remand constitutes a final judgment that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5th Cir. 1993).

Mr. Jackson not disabled between April 4, 2016 and October 8, 2018, and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) with the instructions to again evaluate the claimant's residual functional capacity and disability during the time period between April 4, 2016 and October 8, 2018. The claimant should be afforded the opportunity to submit updated medical evidence and to testify at another hearing.

Signed at Lafayette, Louisiana, this 25th day of January, 2021.

A handwritten signature in black ink, appearing to read 'R. Summerhays', written over a horizontal line.

ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE